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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

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Arizona Corporation Commission

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DOCKETED BY

IN THE MATTER OF THE APPLICATION
OF DELLS WATER COMPANY, INC. FOR
APPROVAL OF THE SALE OF ITS ASSETS
AND FOR THE TRANSFER OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO ACME WATER, LLC.

DOCKET NO. W-01384A-11-0243
DOCKET NO. W-20809A-11-0243

IN THE MATTER OF THE APPLICATION
OF WILHOIT WATER COMPANY, INC.
FOR APPROVAL OF THE SALE OF ITS
ASSETS AND FOR THE TRANSFER OF ITS
CERTIFICATE OF CONVENIENCE AND
NECESSITY TO ACME WATER, LLC.

DOCKET NO. W-02065A-11-0246
DOCKET NO. W-20809A-11-0246

PROCEDURAL ORDER
GRANTING INTERVENTION

BY THE COMMISSION:

On June 16, 2011, Dells Water Company, Inc. ("DWC") and Wilhoit Water Company, Inc. ("WWC") (collectively "the Utilities") each filed with the Arizona Corporation Commission ("Commission") an application for approval of the sale of their assets and the transfer of their Certificates of Convenience and Necessity ("CC&Ns") to ACME Water, LLC ("ACME"). The Utilities each provide water services to various parts of Yavapai County, Arizona, pursuant to their respective CC&Ns.

On July 5, 2011, DWC and WWC each docketed certification that notice of the applications had been mailed and published in their respective CC&N service areas.

On December 16, 2011, the Commission's Utilities Division ("Staff") filed Staff Reports in each docket recommending approval of both DWC's and WWC's application.

On December 23, 2011, DWC and WWC each filed a letter in their respective above-captioned dockets stating the Utilities have no objections to Staff's recommendations and requesting that the dockets be consolidated for purposes of hearing. No objections to the Utilities' requests for consolidation of these matters were filed.

1 On January 10, 2012, by Procedural Order, the above-captioned dockets were consolidated.
2 Because both of the applications filed on behalf of DWC and WWC were signed by Mr. Jim West,
3 acting as Manager for both DWC and WWC, the utilities were directed to file documentation from
4 either their attorney or a representative verifying that the applications for the sale of assets and
5 transfer of CC&Ns had been filed on behalf of the Utilities. Further, the timeclock in this matter was
6 suspended.

7 On January 18, 2012, Douglas G. Martin, Esq., filed a Notice of Appearance on behalf of
8 DWC and WWC.

9 On February 13, 2012, by Procedural Order, the matter was set for hearing on April 9, 2012,
10 public notice was ordered, and other procedural deadlines were established.

11 On March 22, 2012, Baca Enterprises, L.L.C. dba Lakeside Water Company ("Baca") filed a
12 Motion to Intervene ("Motion") in this proceeding. The Motion states that Baca is the owner of
13 several parcels of land which include homes that are currently being served by DWC, and that Baca
14 has an interest in the continuation of service to its parcels by DWC if the transfer and sale of assets is
15 completed.

16 No objections to Baca's Motion have been filed.

17 Accordingly, Baca should be granted intervention in this matter.

18 IT IS THEREFORE ORDERED that Baca is hereby granted intervention in this matter.

19 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
20 Communications) applies to this proceeding and shall remain in effect until the Commission's
21 Decision in this matter is final and non-appealable.

22 IT IS FURTHER ORDERED that all parties must comply with Arizona Supreme Court
23 Rules 31 and 38 and A.R.S. § 40-243 with respect to the practice of law and admission *pro hac*
24 *vice*.

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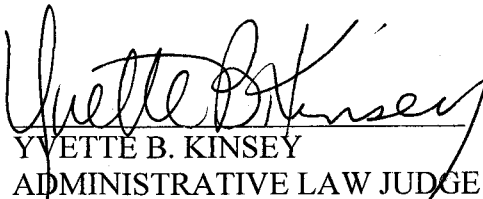
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1 IT IS FURTHER ORDERED that withdrawal of representation must be made in compliance
2 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Arizona
3 Supreme Court Rule 42). Representation before the Commission includes the obligation to appear at
4 all hearings, procedural conferences, and Open Meetings for which the matter is scheduled for
5 discussion, unless counsel has previously been granted permission to withdraw by the Administrative
6 Law Judge or Commission.

7 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
8 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

9 DATED this 2nd day of April, 2012.

10
11
12 
13 YVETTE B. KINSEY
14 ADMINISTRATIVE LAW JUDGE
15

16 Copies of the foregoing mailed/delivered
17 this 2nd day of April, 2012 to:

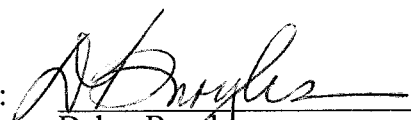
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By: 
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Secretary to Yvette B. Kinsey